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Intellectual Property Law

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\*Admitted only in states indicated

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## FACSIMILE TRANSMISSION COVER SHEET

DATE:

September 30, 2005

TO:

Examiner Brian J. SINES Group Art Unit 1743 Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RE:

U.S. Patent Application No. 09/752,656 For: Sensors With Improved Properties

Our Ref.: 00140 (3600-333)

FROM:

Luke A. Kilyk, Esq. > 1/

FAC. TEL. NO.:

1-571-273-8300

## NUMBER OF PAGES (INCLUDING THIS COVER SHEET):

Request for Continued Examination (RCE) Transmittal - 1 page

Fee Transmittal -- 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on September 30, 2005.

Kim Blum Name (Print)

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PTO/SB/30 (09-04)
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| Request for Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Application Number     | 09/752,656                                 |  |
|--|------------------------|--|--|
|  | Filing Date            | December 29, 2000                          |  |
|  | First Named Inventor   | MUNOZ et al.                               |  |
|  | Art Unit               | 1743<br>Brian J. Sines<br>00140 (3600-333) |  |
|  | Examiner Name          |  |  |
|  | Attorney Docket Number |  |  |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

| <ol> <li>Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).</li> <li>a. x Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.</li> </ol> |           |
|---|-----------|
| i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on  |           |
| ii. x Other Amendment After Final filed September 2, 2005   |           |
|   |           |
| b. Enclosed  i. Amendment/Reply iii. Information Disclosure Statement (IDS)  ii. Affidavit(s)/Declaration(s) iv. Other  |           |
|   |           |
| 2. Miscellaneous  |           |
| a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  b. Other  |           |
| 3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.   |           |
| a. x The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-0060   |           |
| i. X RCE fee required under 37 CFR 1.17(e)  |           |
| ii. Extension of time fee (37 CFR 1.136 and 1.17)   |           |
| iii. Other  |           |
| b. Check in the amount of \$enclosed  |           |
| c. Payment by credit card (Form PTO-2038 enclosed)  |           |
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| credit card information and authorization on PTO-2038.  |           |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED   |           |
| Signature Date September 30, 2005   |           |
| Name (Print/Type) Luke A. Kilyk Registration No. 33,251   |           |
| CERTIFICATE OF MAILING OR TRANSMISSION  |           |
| I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 cm<br>September 30, 2005.   |           |
| Signature Kim Kolum   |           |
| Name (Print/Type) Kim Bi/m Date September 30, 2005  | $\equiv$  |
| This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete  | to<br>le, |

including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| Onder the Papawork Reduction Pactor 1999, he palacing the four  |  |             |                                      | Complete if Known   |                    |  |
|---|--|-------------|--------------------------------------|---|--------------------|--|
| FEE TRANSMITTAL   |  | Applica     | Application Number 09/752,656        |   |                    |  |
| LET HAMOMILIAT  |  | Filing C    | ate                                  | December 29   | December 29, 2000  |  |
| for FY 2005   |  | First Na    |                                      |   | tal PECEIV         |  |
|   | <b>.</b>   | Examir      | ner Name                             | Brian J. Si   | PESENTIAL FAX      |  |
| Effective 10/01/2003. Patent fees are subject to annual revision.   |  | Art Unit    | Art Unit 1743                        |   | 02                 |  |
| Applicant Claims small entity status. See 37 CFR  | .21  | Attorne     | Attorney Docket No. 00140 (3600-333) |   | )-333) SET 3 U     |  |
| TOTAL AMOUNT OF PAYMENT (\$) 790.00   |  | 1           |                                      |   |                    |  |
|   | METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) |             |                                      |   |                    |  |
| Check Credit card Money Cother None   | 3. ADDITI<br>Large Entity  | IONAL F     | Entity                               |   | ļ                  |  |
| x Deposit Account   | Fee Fee<br>Code (\$)   | Fee<br>Code | Fee<br>(\$)                          | Fee Description   | Fee Paid           |  |
| Deposit<br>Account 03-0060  | 1051 13  | 2051        |                                      | Surcharge - late filing fee or cath   |                    |  |
| Number  | 1050 6   | 0 2052      | 25                                   | Surcharge - late provisional filing fee or                                      |                    |  |
| Account Name  | 1052 5   | 2002        | 20                                   | cover sheet   |                    |  |
| The Director is authorized to: (check all that apply)   | 1053 13  | 0 1053      | 130                                  | Non-English specification   |                    |  |
| X Charge fee(s) Indicated below X Credit any overpayments   | 1812 2,52  | 1           | _,                                   | For filing a request for ex parte reexamin                                      | atlon              |  |
| X Charge any additional fae(s) or any underpayment of fee(s)  | 1804 <b>92</b> 0   | 1804        | 720                                  | Requesting publication of SIR prior to<br>Examiner action                       |                    |  |
| Charge fee(s) indicated below, except for the filling fee   | 1805 <b>1,84</b> 0   | 1805        |                                      | Requesting publication of SIR after<br>Examiner action                          |                    |  |
| to the above identified deposit account.  FEE CALCULATION   | 1251 <b>12</b>   | 0 2251      | 60                                   | Extension for reply within first month  |                    |  |
| 1. BASIC FILING FEE   | 1252 <b>45</b>   | 4           | 225                                  | Extension for reply within second month   |                    |  |
| Large Entity   Small Entity   | 1253 1,02  |             | 510                                  | Extension for reply within third month  |                    |  |
| Fee Fee Fee Fee Description Fee Paid Code (\$)  | 1254 <b>1,59</b>   | 0 2254      | 795                                  | Extension for reply within fourth month   |                    |  |
| 1001 790 2001 395 Utility filing fee  | 1255 <b>2,16</b>   |             | •                                    | Extension for reply within fifth month  |                    |  |
| 1002 350 2002 175 Design filing fee   | 1401 <b>50</b>   |             |                                      | Notice of Appeal  |                    |  |
| 1003 550 2003 275 Plant filing fee  | 1402 50<br>1403 1,00   |             |                                      | Filing a brief in support of an appeal Request for oral hearing                 |                    |  |
| 1004 790 2004 395 Relssue filing fee  | 1451 1,51  |             | -                                    | Petition to institute a public use proceed                                      | ina 📙              |  |
| 1005 160 2005 80 Provisional filing fee   | 1452 50  |             | •                                    | Petition to revive - unavoidable  |                    |  |
| SUBTOTAL (1) (\$) 0.00  | 1453 <b>1,50</b>   |             |                                      | Petition to revive - unintentional  |                    |  |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE   | 1501 <b>1,40</b>   |             |                                      | Utility issue fee (or relssue)  |                    |  |
| Extra Claims below Fee Paid   | 1502 <b>80</b>   |             |                                      | Design issue fee  |                    |  |
| Total Claims -20**= X =   | 1503 1,10  |             |                                      | Plant issue fee   |                    |  |
| Claims  | 1460 <b>1</b> 3  |             |                                      | Petitions to the Commissioner   | i                  |  |
| Multiple Dependent  |  | 0 1807      |                                      | Processing fee under 37 CFR 1.17(q)   |                    |  |
| Large Entity   Small Entity   Fee   Fee   Fee   Fee   Fee   Description   | 1806 <b>18</b><br>8021 <b>4</b>                                      | 0   1806    |                                      | Submission of Information Disclosure St<br>Recording each patent assignment per | '' <b>'</b>        |  |
| Code (\$) Fee Fee Fee Fee Description   |  |             |                                      | property (times number of properties) Filing a submission after final rejection |                    |  |
| 1202 <b>50</b> 2202 <b>25</b> Claims in excess of 20  | 1809 79  | 0 2809      | 300                                  | (37 CFR 1.129(a))   |                    |  |
| 1201 200 2201 100 Independent claims in excess of 3   | 1810 79  | 2810        |                                      | For each additional invention to be examined (37 CFR 1.129(b))                  |                    |  |
| 1203 360 2203 180 Multiple dependent claim, if not paid   | 1801 79  | 0 2801      |                                      | Request for Continued Examination (RCE)   | 790.00             |  |
| 1204 200 2204 100 **Reissue independent claims over original patent   | 1802 90  | 1802        |                                      | Request for expedited examination of a design application                       |                    |  |
| 1205 En 2205 25 **Reissue claims in excess of 20  |  | •           |                                      | <b>w</b>  |                    |  |
| and over original patent  |  |             |                                      |   |                    |  |
| SUBTOTAL (2) (\$) 0.00 Other fee (  |  |             | Ess P-14                             | SIBTOTAL (S)  | (E) 700 00         |  |
| or number previously paid, if greater, For Reissues, see above Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 790.00  SUBMITTED BY  Complete (I explicable) |  |             |                                      |   |                    |  |
| Registration No.  |  |             |                                      |   |                    |  |
| Name (Print/Type) Luke A. Kilyk   | (Attorney/A  |             | 33,251                               |   | 1-540-428-1701     |  |
| Signature Line a Tall   |  |             |                                      | Date  | September 30, 2005 |  |

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| Kim Blum     | Kintolum  |
|--------------|-----------|
| Name (Print) | Signature |